

indebtedness; abolishing existing school districts wholly included within its boundaries, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice Chairman.

Committee Room,
Austin, Texas, February 26, 1923.
Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 86, A bill to be entitled "An Act amending Article 6285 of the Revised Civil Statutes of the State of Texas, 1911, and providing for the assistance by the county of any mother unable to properly provide for her children, where the father of such children is either dead, in a State institution, or where she is compelled by divorce to have the entire care and custody of such children without assistance from the father,"

And find the same correctly engrossed.
PRICE, Vice Chairman.

Committee Room,
Austin, Texas, February 24, 1923.
Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 399, A bill to be entitled "An Act to amend Article 1585 of Chapter 2, Title 32 of the Revised Civil Statutes of Texas of 1911, fixing the terms of Courts of Civil Appeals,"

And find the same correctly engrossed.
PRICE, Vice Chairman.

THIRTY-FIFTH DAY.

(Continued.)

(Wednesday, February 28, 1923.)

The House met at 10 o'clock a. m., and was called to order by Speaker Seagler.

HOUSE BILL NO. 160 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 160, relating to issuance of marriage licenses, on its passage to engrossment, with amendment by Mr. Miller pending.

Mr. Miller offered the following amendment to the amendment:

Amend (committee) amendment to House bill No. 160, line 34, after the word "judge" to read: "Provided, that no license to marry shall be issued for the marriage of any female person under 18 years of age except in the county where the parent or guardian, if any, or the female resides, unless the parents or guardian are present; and," etc.

The amendment to the amendment was adopted.

The (committee) amendment as amended was then adopted.

House bill No. 160 was then passed to engrossment.

HOUSE BILL NO. 93 ON SECOND READING.

On motion of Mr. Winfree, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 93, A bill to be entitled "An Act to make appropriation to pay off that certain note executed by the Prison Commission to Bassett Blakely for the purchase of certain mules, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Winfree offered the following (committee) amendment to the bill:

Amend House bill No. 93 by striking out all after the enacting clause and substituting the following:

Section 1. That there be and is hereby appropriated out of any money in the treasury, not already appropriated, the sum of twenty-five thousand (\$25,000) dollars in full settlement of that certain note with interest thereon executed by the Prison Commission to Bassett Blakely in purchase for certain mules. Said note being dated January 19, 1921.

Sec. 2. Upon the presentation and delivery of said note to Comptroller of Public Accounts he shall draw his warrant on the State Treasury in favor of the owner and holder of said note for the sum of twenty-five thousand (\$25,000) dollars, in full settlement of said note, which warrant shall be paid by the Treasurer out of any funds on hand not otherwise appropriated.

Sec. 3. The fact that said note is long past due and unpaid affects adversely the credit of the Prison Commission and creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days be suspended, and it is enacted that said

rule be so suspended and that this bill take effect from and after its passage.

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 93 was then passed to engrossment by the following vote:

Yeas—91.

Amsler.	McBride.
Arnold.	McDaniel.
Avis.	McDonald.
Baker of Milam.	McFarlane.
Baker of Orange.	McKean.
Beasley.	McNatt.
Bell.	Martin.
Bird.	Maxwell.
Blount.	Melson.
Bobbitt.	Merriman.
Burmeister.	Merritt.
Cable.	Miller.
Carpenter	Moore.
of Matagorda.	Morgan
Carson.	of Robertson.
Carter of Coke.	Pate.
Chitwood.	Patman.
Coffee.	Patterson.
Collins.	Pinkston.
Covey.	Pope.
Cowen.	Potter.
Culp.	Quaid.
Davenport.	Quinn.
DeBerry.	Rice.
Downs.	Robinson.
Driggers.	Rogers.
Duffey.	Rountree.
Dunlap.	Russell
Dunn.	of Callahan.
Faubion.	Russell of Trinity.
Fields.	Satterwhite.
Gipson.	Shearer.
Greer.	Shires.
Henderson	Simpson.
of Marion.	Smith.
Henderson	Sparkman.
of McLennan.	Stewart
Houston.	of Edwards.
Hughes.	Teer.
Hull.	Thompson.
Jacks.	Thrasher.
Jennings.	Vaughan.
Jones.	Wallace.
Kemble.	Wells.
Lackey.	Westbrook.
Lamb.	Williamson.
Lane.	Wilmans.
LeMaster.	Winfree.
Lewis.	Young.

Nays—19.

Atkinson.	Davis.
Barker.	Dodd.
Barrett.	Finlay.
Crawford.	Harrington.

Laird.	Stewart of Jasper.
Looney.	Stewart of Reeves.
Perdue.	Sweet.
Rowland.	Wessels.
Sackett.	Wilson.
Stell.	

Present—Not Voting.

Abney.	Hendricks.
Bryant.	Storey.
Harris.	

Absent.

Baldwin.	Irwin.
Bonham.	Johnson.
Brady.	LeStourgeon.
Carpenter	Loftin.
of Dallas.	Mathes.
Dinkle.	Montgomery.
Durham.	Morgan
Edwards.	of Liberty.
Frnka.	Pool.
Fugler.	Price.
Green.	Purl.
Hardin of Erath.	Sanford.
Hardin	Stroder.
of Kaufman.	Turner.
Howeth.	

Absent—Excused.

Carter of Hays.	Stevens.
Dielmann.	Stiernberg.
Lusk.	Strickland.

HOUSE BILL NO. 93 ON THIRD READING.

Mr. Winfree moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 93 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Mr. Speaker.	Collins.
Abney.	Covey.
Amsler.	Cowen.
Arnold.	Crawford.
Avis.	Davenport.
Baker of Milam.	DeBerry.
Baker of Orange.	Downs.
Beasley.	Driggers.
Bell.	Duffey.
Bird.	Dunlap.
Blount.	Dunn.
Bobbitt.	Faubion.
Burmeister.	Fields.
Cable.	Gipson.
Carpenter	Greer.
of Matagorda.	Henderson
Carson.	of Marion.
Carter of Coke.	Henderson
Chitwood.	of McLennan.
Coffee.	Houston.

Hughes.	Potter.
Hull.	Quaid.
Irwin.	Quinn.
Jacks.	Rice.
Jennings.	Robinson.
Jones.	Rogers.
Kemble.	Rountree.
Lamb.	Russell of Trinity.
Lane.	Russell
LeMaster.	of Callahan.
Lewis.	Sanford.
McBride.	Satterwhite.
McDaniel.	Shearer.
McDonald.	Shires.
McFarlane.	Simpson.
McKean.	Smith.
McNatt.	Sparkman.
Martin.	Stewart
Melson.	of Edwards.
Merriman.	Storey.
Merritt.	Stroder.
Montgomery.	Teer.
Moore.	Thompson.
Morgan	Thrasher.
of Liberty.	Vaughan.
Morgan	Wallace.
of Robertson.	Wells.
Pate.	Westbrook.
Patman.	Williamson.
Patterson.	Wilmans.
Pinkston.	Winfree.
Pool.	Young.
Pope.	

Nays—22.

Atkinson.	Mathes.
Barker.	Maxwell.
Culp.	Perdue.
Davis.	Rowland.
Dodd.	Sackett.
Finlay.	Stell.
Harrington.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Hendricks.	Sweet.
Howeth.	Wessels.
Laird.	Wilson.

Present—Not Voting.

Bryant.

Absent.

Baldwin.	Hardin of Erath.
Barrett.	Hardin
Bonham.	of Kaufman.
Brady.	Johnson.
Carpenter	Lackey.
of Dallas.	LeStourgeon.
Dinkle.	Loftin.
Durham.	Looney.
Edwards.	Miller.
Frnka.	Price.
Fugler.	Purl.
Green.	Turner.

Absent—Excused.

Carter of Hays. Dielmann.

Lusk.	Stiernberg.
Stevens.	Strickland.

The Speaker then laid House bill No. 93 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Mr. Speaker.	McDonald.
Abney.	McFarlane.
Amsler.	McKean.
Arnold.	McNatt.
Avis.	Martin.
Baker of Milam.	Maxwell.
Baker of Orange.	Melson.
Beasley.	Merriman.
Bell.	Merritt.
Bird.	Moore.
Blount.	Morgan
Bobbitt.	of Liberty.
Bryant.	Morgan
Burmeister.	of Robertson.
Cable.	Pate.
Carpenter	Patman.
of Matagorda.	Patterson.
Carson.	Pinkston.
Carter of Coke.	Pool.
Chitwood.	Pope.
Coffee.	Potter.
Collins.	Quaid.
Covey.	Quinn.
Cowen.	Rice.
Crawford.	Robinson.
Culp.	Rogers.
Davenport.	Rountree.
DeBerry.	Russell
Downs.	of Callahan.
Dunlap.	Russell of Trinity.
Dunn.	Sanford.
Edwards.	Satterwhite.
Faubion.	Shearer.
Fields.	Shires.
Gipson.	Simpson.
Greer.	Smith.
Henderson	Sparkman.
of Marion.	Stell.
Henderson	Stewart
of McLennan.	of Edwards.
Houston.	Storey.
Howeth.	Stroder.
Hughes.	Teer.
Hull.	Thompson.
Irwin.	Thrasher.
Jacks.	Turner.
Jennings.	Vaughan.
Jones.	Wallace.
Kemble.	Wells.
Lamb.	Westbrook.
Lane.	Williamson.
LeMaster.	Wilmans.
Lewis.	Winfree.
McBride.	Young.
McDaniel.	

Nays—21.

Atkinson.	Looney.
Barker.	Mathes.
Barrett.	Perdue.
Davis.	Rowland.
Dodd.	Sackett.
Driggers.	Stewart of Jasper.
Duffey.	Stewart of Reeves.
Finlay.	Sweet.
Harrington.	Wessels.
Hendricks.	Wilson.
Laird.	

Present—Not Voting.

Hardin	Harris.
of Kaufman.	

Absent.

Baldwin.	Hardin of Erath.
Bonham.	Johnson.
Brady.	Lackey.
Carpenter	LeStourgeon.
of Dallas.	Loftin.
Dinkle.	Miller.
Durham.	Montgomery.
Frnka.	Price.
Fugler.	Purl.
Green.	

Absent—Excused.

Carter of Hays.	Stevens.
Dielmann.	Stiernberg.
Lusk.	Strickland.

Mr. Winfree moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

BILL ORDERED PRINTED.

On motion of Mr. Abney, House bill No. 638, reported adversely with a minority favorable report, was ordered printed.

HOUSE BILL NO. 71 ON SECOND READING.

On motion of Mr. Stewart of Edwards, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 71, A bill to be entitled "An Act to validate certain sales of certain public free school lands sold to purchasers by the State on September 22, 1905, January 8, 1906, and September 5, 1907, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 71 ON THIRD READING.

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 71 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	McBride.
Abney.	McDaniel.
Amsler.	McDonald.
Arnold.	McFarlane.
Atkinson.	McNatt.
Baker of Milam.	Martin.
Baker of Orange.	Mathes.
Barker.	Maxwell.
Barrett.	Merriman.
Beasley.	Merritt.
Bell.	Moore.
Bird.	Morgan
Blount.	of Liberty.
Bobbitt.	Morgan
Bryant.	of Robertson.
Burmeister.	Patman.
Cable.	Patterson.
Carpenter	Pinkston.
of Matagorda.	Pool.
Carson.	Pope.
Chitwood.	Potter.
Coffee.	Quaid.
Collins.	Quinn.
Covey.	Rice.
Cowen.	Robinson.
Davenport.	Rogers.
Downs.	Rowland.
Driggers.	Russell
Duffey.	of Callahan.
Dunn.	Russell of Trinity.
Durham.	Sackett.
Edwards.	Sanford.
Faubion.	Satterwhite.
Fields.	Shearer.
Finlay.	Shires.
Gipson.	Simpson.
Greer.	Smith.
Hardin of Erath.	Sparkman.
Harrington.	Stell.
Henderson	Stewart
of Marion.	of Edwards.
Henderson	Stewart of Jasper.
of McLennan.	Stewart of Reeves.
Houston.	Storey.
Hughes.	Stroder.
Hull.	Thompson.
Irwin.	Thrasher.
Jones.	Turner.
Kemble.	Vaughan.
Lamb.	Wallace.
Lane.	Wells.
LeMaster.	Westbrook.
Lewis.	Williamson.
Looney.	Wilmans.

Wilson. Young.
Winfree. Nays—4.

Howeth. Perdue.
Laird. Wessels.

Present—Not Voting.

DeBerry. Absent.

Avis.	Harris.
Baldwin.	Hendricks.
Bonham.	Jacks.
Brady.	Jennings.
Carpenter	Johnson.
of Dallas.	Lackey.
Carter of Coke.	LeStourgeon
Crawford.	Loftin.
Culp.	McKean.
Davis.	Melson.
Dinkle.	Miller.
Dodd.	Montgomery.
Dunlap.	Pate.
Frnka.	Price.
Fugler.	Purl.
Green.	Rountree.
Hardin	Sweet.
of Kaufman.	Teer.

Absent—Excused.

Carter of Hays.	Stevens.
Dielmann.	Stiernberg.
Lusk.	Strickland.

The Speaker then laid House bill No. 71 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Abney.	Davenport.
Amsler.	Dodd.
Arnold.	Downs.
Atkinson.	Driggers.
Baker of Milam.	Duffey.
Baker of Orange.	Dunn.
Baldwin.	Durham.
Beasley.	Edwards.
Bell.	Faubion.
Bird.	Fields.
Blount.	Finlay.
Bobbitt.	Greer.
Cable.	Hardin of Erath.
Carpenter	Harrington.
of Dallas.	Henderson
Carpenter	of Marion.
of Matagorda.	Henderson
Carson.	of McLennan.
Carter of Coke.	Houston.
Chitwood.	Howeth.
Coffee.	Hughes.
Collins.	Hull.
Covey.	Irwin.
Cowen.	Jacks.

Jennings.	Rice.
Jones.	Robinson.
Kemble.	Rogers.
Lackey.	Russell
Lamb.	of Callahan.
Lane.	Russell of Trinity.
LeMaster.	Sackett.
Loftin.	Sanford.
Looney.	Satterwhite.
McBride.	Shearer.
McDaniel.	Simpson.
McFarlane.	Sparkman.
McNatt.	Stell.
Martin.	Stewart
Maxwell.	of Edwards.
Merriman.	Stewart of Jasper.
Merritt.	Stewart of Reeves
Miller.	Storey.
Moore.	Sweet.
Morgan	Thompson.
of Liberty.	Thrasher.
Morgan	Turner.
of Robertson.	Vaughan.
Patman.	Wallace.
Patterson.	Wells.
Pinkston.	Westbrook.
Pool.	Wessels.
Pope.	Wilmans.
Potter.	Wilson.
Quaid.	Winfree.
Quinn.	Young.

Nays—4.

Davis.	Mathes.
Laird.	Perdue.

Present—Not Voting.

Bryant.	Hendricks.
Burmeister.	Rowland.
DeBerry.	Williamson.
Harris.	

Absent.

Avis.	Johnson.
Barker.	LeStourgeon.
Barrett.	Lewis.
Bonham.	McDonald.
Brady.	McKean.
Crawford.	Melson.
Culp.	Montgomery.
Dinkle.	Pate.
Dunlap.	Price.
Frnka.	Purl.
Fugler.	Rountree.
Gipson.	Shires.
Green.	Smith.
Hardin	Stroder.
of Kaufman.	Teer.

Absent—Excused.

Carter of Hays.	Stevens.
Dielmann.	Stiernberg.
Lusk.	Strickland.

HOUSE BILL NO. 368 ON SECOND READING.

On motion of Mr. Downs, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 368, A bill to be entitled "An Act to amend Sections 2 and 3 of Chapter 38 of the General Laws of the Regular Session of the Thirty-sixth Legislature so as to provide that examinations for license as attorney at law shall be held in each supreme judicial district; fixing the time for holding such examination; providing who shall conduct such examinations, and providing for the expense thereof."

The Speaker laid the bill before the House and it was read second time.

Mr. Rice offered the following amendment to the bill:

Amend House bill No. 368 by striking out the words "county or city superintendent" wherever they appear in the bill and insert in lieu thereof the words "county or district judge."

Mr. Mathes moved the previous question on the pending amendment and the bill, and the motion was not seconded.

Mr. Loftin offered the following amendment to the amendment:

Amend the amendment by striking out the words "county judge."

The amendment was adopted.

Question then recurring on the amendment as amended, it was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 368 failed to pass to engrossment by the following vote:

Yeas—42.

Abney.	Henderson
Baker of Milam.	of Marion.
Barrett.	Hughes.
Bird.	Jennings.
Cable.	Jones.
Carpenter	LeMaster.
of Matagorda.	Loftin.
Covey.	McDaniel.
Cowen.	McFarlane.
Crawford.	Mathes.
Davis.	Merritt.
Dodd.	Patterson.
Downs.	Perdue.
Durham.	Pinkston.
Edwards.	Pope.
Fields.	Purl.
Hardin	Rowland.
of Kaufman.	Russell
Harris.	of Callahan.

Sanford.	Thompson.
Simpson.	Turner.
Stell.	Westbrook.
Stewart of Jasper.	Wilmans.

Nays—68.

Mr. Speaker.	Lane.
Amsler.	Lewis.
Arnold.	McDonald.
Atkinson.	McKean.
Baker of Orange.	McNatt.
Barker.	Maxwell.
Beasley.	Melson.
Bell.	Merriman.
Bobbitt.	Moore.
Burmeister.	Morgan
Carpenter	of Liberty.
of Dallas.	Morgan
Carson.	of Robertson.
Carter of Coke.	Pate.
Chitwood.	Pool.
Coffee.	Potter.
Collins.	Quaid.
Culp.	Rice.
Davenport.	Robinson.
DeBerry.	Rogers.
Driggers.	Rountree.
Duffey.	Russell of Trinity.
Dunn.	Satterwhite.
Finlay.	Shires.
Greer.	Sparkman.
Harrington.	Stewart
Henderson	of Edwards.
of McLennan.	Storey.
Hendricks.	Stroder.
Houston.	Sweet.
Howeth.	Thrasher.
Hull.	Vaughan.
Irwin.	Wells.
Jacks.	Wessels.
Kemble.	Wilson.
Lackey.	Winfree.
Lamb.	

Present—Not Voting.

Looney.	Quinn.
Martin.	

Absent.

Avis.	Laird.
Baldwin.	LeSturgeon.
Blount.	McBride.
Bonham.	Miller.
Brady.	Montgomery.
Bryant.	Patman.
Dinkle.	Price.
Dunlap.	Sackett.
Faubion.	Shearer.
Frnka.	Smith.
Fugler.	Stewart of Reeves.
Gipson.	Teer.
Green.	Wallace.
Hardin of Erath.	Williamson.
Johnson.	Young.

Absent—Excused.

Carter of Hays.	Stevens.
Dielmann.	Stiernberg.
Lusk.	Strickland.

HOUSE BILL NO. 41 ON SECOND READING.

On motion of Mr. Rogers, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 41, A bill to be entitled "An Act to regulate domestic relations by prescribing means and procedure for the enforcement of the obligation of the father of legitimate minor children for their support and maintenance, and for other purposes, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Turner offered the following amendment to the bill:

Amend House bill No. 41 by striking out the word "legitimate" wherever it appears in the bill.

Signed—Turner, Shearer.

Mr. Quinn moved the previous question on the pending amendment and the bill, and the motion was not seconded.

Question then recurring on the amendment, it was lost.

Question next recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 41 was then passed to engrossment by the following vote:

Yeas—68.

Amsler.	Henderson
Arnold.	of Marion.
Atkinson.	Hendricks.
Baker of Milam.	Hull.
Beasley.	Irwin.
Bird.	Lackey.
Bobbitt.	Laird.
Bryant.	Lamb.
Carpenter	Lane.
of Matagorda.	Looney.
Carson.	McBride.
Chitwood.	McDaniel.
Collins.	McDonald.
Covey.	McFarlane.
Cowen.	Martin.
DeBerry.	Mathes.
Dodd.	Morgan
Downs.	of Robertson.
Driggers.	Patman.
Duffey.	Perdue.
Dunn.	Pool.
Durham.	Pope.
Fields.	Potter.
Greer.	Purl.

Quinn.	Stroder.
Rice.	Sweet.
Robinson.	Thrasher.
Rogers.	Turner.
Rountree.	Vaughan.
Russell	Wallace.
of Callahan.	Wells.
Russell of Trinity.	Westbrook.
Sackett.	Wilmans.
Sanford.	Winfree.
Sparkman.	Young.
Stell.	
Stewart	
of Edwards.	

Nays—36.

Baker of Orange.	LeMaster.
Baldwin.	Loftin.
Bell.	McKean.
Burmeister.	McNatt.
Cable.	Maxwell.
Carpenter	Melson.
of Dallas.	Merritt.
Coffee.	Morgan
Culp.	of Liberty.
Davis.	Pinkston.
Finlay.	Quaid.
Hardin	Rowland.
of Kaufman.	Satterwhite.
Harrington.	Simpson.
Henderson	Smith.
of McLennan.	Stewart of Jasper.
Hughes.	Thompson.
Jacks.	Wessels.
Jennings.	Williamson.
Kemble.	Wilson.

Present—Not Voting.

Harris.	Storey.
Pate.	

Absent.

Abney.	Hardin of Erath.
Avis.	Houston.
Barker.	Howeth.
Barrett.	Johnson.
Blount.	Jones.
Bonham.	LeStourgeon.
Brady.	Lewis.
Carter of Coke.	Merriman.
Crawford.	Miller.
Davenport.	Montgomery.
Dinkle.	Moore.
Dunlap.	Patterson.
Edwards.	Price.
Faubion.	Shearer.
Frnka.	Shires.
Fugler.	Stewart of Reeves.
Gipson.	Teer.
Green.	

Absent—Excused.

Carter of Hays.	Stevens.
Dielmann.	Stiernberg.
Lusk.	Strickland.

Mrs. Wilmans moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO TAKE UP HOUSE BILL NO. 41.

Mr. Rogers moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 41 be placed on its third reading and final passage.

The motion was lost by the following vote; not receiving the necessary four-fifths vote:

Yeas—66.

Amsler.	McFarlane.
Arnold.	Martin.
Atkinson.	Mathes.
Baker of Milam.	Maxwell.
Baker of Orange.	Melson.
Bird.	Morgan
Bobbitt.	of Liberty.
Bryant.	Morgan
Carpenter	of Robertson.
of Matagorda.	Patterson.
Carson.	Perdue.
Chitwood.	Pool.
Collins.	Pope.
Cowen.	Quinn.
Dodd.	Rice.
Driggers.	Rogers.
Duffey.	Rountree.
Dunn.	Russell
Faubion.	of Callahan.
Fields.	Russell of Trinity.
Greer.	Sackett.
Henderson	Sanford.
of Marion.	Sparkman.
Hendricks.	Stell.
Houston.	Stewart
Hull.	of Edwards.
Irwin.	Stewart of Jasper.
Lackey.	Sweet.
Laird.	Thompson.
Lamb.	Thrasher.
Lane.	Turner.
LeMaster.	Wallace.
Looney.	Wells.
McBride.	Wilmans.
McDaniel.	Winfree.
McDonald.	Young.

Nays—36.

Baldwin.	Culp.
Beasley.	Davis.
Bell.	DeBerry.
Burmeister.	Durham.
Cable.	Finlay.
Carpenter	Hardin
of Dallas.	of Kaufman.
Coffee.	Harrington.
Covey.	Harris.

Howeth.	Quaid.
Henderson	Robinson.
of McLennan.	Rowland.
Hughes.	Satterwhite.
Jennings.	Simpson.
Kemble.	Vaughan.
McKean.	Westbrook.
Merriman.	Wessels.
Merritt.	Williamson.
Pate.	Wilson.
Pinkston.	

Present—Not Voting.

Storey.

Absent.

Abney.	Johnson.
Avis.	Jones.
Barker.	LeSturgeon.
Barrett.	Lewis.
Blount.	Loftin.
Bonham.	McNatt.
Brady.	Miller.
Carter of Coke.	Montgomery.
Crawford.	Moore.
Davenport.	Patman.
Dinkle.	Potter.
Downs.	Price.
Dunlap.	Purl.
Edwards.	Shearer.
Frnka.	Shires.
Fugler.	Smith.
Gipson.	Stewart of Reeves.
Green.	Stroder.
Hardin of Erath.	Teer.
Jacks.	

Absent—Excused.

Carter of Hays.	Stevens.
Dielmann.	Stiernberg.
Lusk.	Strickland.

HOUSE BILL NO. 48 ON SECOND READING.

On motion of Mr. Wallace, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 48, A bill to be entitled "An Act providing for the removal of any public officer for intoxication, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Wallace offered the following (committee) amendment to the bill:

Amend House bill No. 48 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That Article 6030 of Chapter 2, Title 98, of the Revised Civil Statutes of 1911, be and is hereby so amended to hereafter read as follows:

Sec. 2. All district attorneys, county judges, commissioners and county attorneys, clerks of the district and county courts and single clerks in counties where one clerk discharges the duties of district and county clerk, county treasurer, sheriff, county surveyor, assessor, collector, constable, cattle and hide inspector, justice of the peace and all other county officers now or hereafter existing by authority either of the Constitution or laws, may be removed from office by the judge of the district court for incompetency, official misconduct, or becoming intoxicated by drinking intoxicating liquor, as a beverage, whether on duty or not; provided such officers shall not be removed for becoming intoxicated when it appears upon the trial of such officer that such intoxication was produced by drinking intoxicating liquors upon the direction and prescription of a duly licensed practicing physician of this State.

Sec. 3. That Articles 6035, 6036, 6037, 6038 and 6039, of Chapter 2, Title 98, of the Revised Civil Statutes of 1911, be, and they, and each of them, are hereby repealed.

Sec. 4. The importance of this act in connection with law enforcement in this State and the necessity of its becoming a law as soon as possible creates an emergency and an imperative public necessity making necessary the suspension of the constitutional rule requiring bills to be read on three several days in each house, and that this act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted.

The amendment was adopted.

Mr. Wallace offered the following (committee) amendment to the bill:

Amend House bill No. 48 by striking out all above the enacting clause and inserting in lieu thereof the following: "A bill to be entitled 'An Act to amend Article 6030 of Chapter 2, Title 98, of the Revised Civil Statutes of 1911, providing that all district attorneys, county judges, commissioners, and county attorneys, clerks of the district and county courts, and single clerks in counties, where one clerk discharges the duties of district and county clerks, county treasurer, sheriff, county surveyor, assessor, collector, constable, cattle and hide inspector, justice of the peace, and all other county officers now or hereafter existing by authority either of the Constitution or laws, may be removed from office by the judges of the

district court for incompetency, official misconduct, or becoming intoxicated by drinking intoxicating liquors as a beverage, whether on duty or not; providing such officers may not be removed because of such intoxication when produced by drinking intoxicating liquor upon direction and prescription of a licensed practicing physician of this State; repealing Articles 6035, 6036, 6037, 6038 and 6039 of Chapter 2, Title 98, of the Revised Civil Statutes of 1911, and creating an emergency.'"

The amendment was adopted.

House bill No. 48 was then passed to engrossment.

HOUSE BILL NO. 425 ON SECOND READING.

On motion of Mr. Davis, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 425, A bill to be entitled "An Act to amend Chapter 2 of Title 104 of the Revised Civil Statutes of 1911, as amended by Chapter 32, General Laws, First Called Session, Thirty-fifth Legislature, pertaining to the management and control of the prison system of this State by adding thereto another article to be known as Article 6231b, so as to exempt the Board of Prison Commissioners, and the members thereof, from giving or making any cost bond, appeal bond, supersedeas bond, writ of error bond, or other bond or security in any civil suit or action heretofore or hereafter brought by or against it, or them, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 28, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 63, A bill to be entitled "An Act to amend Article 3864, 3866 and 3898 of the Revised Civil Statutes of the State of Texas of 1911, providing for the fees of sheriffs in civil suits, and providing the ex-officio salary of sheriffs, and providing that officers in counties of less than twenty-five thousand inhabitants shall not be required to keep statements and make reports as pro-

vided in Articles 3894 and 3895 of the Revised Statutes of the State of Texas of 1911; and to amend Articles 1122, 1130 and 1175 of the Code of Criminal Procedure of the State of Texas, 1911, to provide that sheriffs and other peace officers shall receive four dollars per day for attending a prisoner on habeas corpus hearing; and to amend Article 1142 of the Code of Criminal Procedure of the State of Texas of 1911 so as to define the compensation to be paid sheriffs for the safe keeping, maintenance and support of prisoners, and declaring an emergency."

Respectfully,
RICHARD BLALOCK,
Assistant Secretary of the Senate.

HOUSE BILL NO. 340 ON SECOND READING.

On motion of Mr. Bell, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 340, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 78, General Laws, Second Called Session, Thirty-sixth Legislature, as amended by Chapter 61, General Laws, First Called Session, Thirty-seventh Legislature, making it unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spirituous, vinous, or malt liquors or medicated bitters capable of producing intoxication, or any other intoxicant whatever, or to possess, receive, manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish any equipment, still, mash, grain, fruit, material, supplies, device or other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants, or beverages; and making it unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish, spirituous, vinous or malt liquors or medicated bitters, or any potable liquor, mixture or preparation, containing in excess of one per cent of alcohol by volume, or to possess, receive manufacture, sell, barter, exchange, transport, export, deliver, take orders for,

solicit or furnish any other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverages; making proof of possession or receipt or possession or receipt for the purpose of sale, is made unlawful in this act; amending Chapter 78, General Laws, Second Called Session, Thirty-sixth Legislature, by adding Section 35a with reference to seizure and destruction of the vehicles and instrumentalities for violating the liquor laws, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Bell offered the following (committee) amendment to the bill:

Amend House bill No. 340, Section 35a, by inserting after the word "airplane" and before the word "or" in line three (3) of said section the words "boat, ship."

Question—Shall the amendment be adopted?

RECESS.

On motion of Mr. Quaid, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 350, "An Act to create the Granbury Independent School District in Hood county, Texas, including the present Granbury District of said county, providing for a board of trustees therefor, vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Granbury District shall continue to act as such until their successors are elected in accordance with the general laws of Texas, and declaring an emergency."

H. B. No. 308, "An Act to prevent

the selling of bass, perch, or crappy, or catfish taken from the fresh waters in the county of Comal, State of Texas; making it unlawful to use any dynamite or other explosives in the killing or catching of any fish of the fresh waters of said county, and providing a penalty for the violation thereof; prohibiting the use of any seine, drag net, trammel net or other net other than a minnow seine, which shall not be more than ten feet in length and the meshes of which shall not be smaller than one-fourth inch; providing for a closed season; prescribing the size of fish that may be taken; limiting the number of bass to be taken in any one day; providing that the district judge of the judicial district in which Comal county is situated shall give a special charge upon this law to the grand juries of Comal county; providing a penalty for the violation thereof, and declaring an emergency."

H. C. R. No. 3, Providing for printing of Legislative Manual.

HOUSE BILL NO. 340 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 340, relating to liquor laws, on its passage to engrossment, with amendment by Mr. Bell pending.

Question recurring on the amendment, it was adopted.

Mr. Bell offered the following amendment to the bill:

Amend House bill No. 340 by inserting between the words "used" and "for," in line 39, of page 2, the following: "in the presence and view of any peace officer of this State."

Amend House bill No. 340 by striking out the words "upon a search and seizure warrant to be issued and executed in substantial compliance with Title 6 of the Code of Criminal Procedure of this State," in lines 2, 3 and 4 of page 3, and inserting in lieu thereof the following: "without warrant by such peace officer."

Mr. Loftin offered the following amendment to the amendment:

Substitute the amendment by adding after the word "State," in line 4, page 3, the following: "Provided, that if such peace officer seizes such animal, automobile or other vehicle mentioned in this section, whether by warrant or without warrant, and it develops that party arrested is not violating any of the provisions of this law, then such peace officer is liable for both exemplary and

actual damages to the person illegally arrested."

Mr. Hardin of Kaufman moved that further consideration of the bill be postponed indefinitely.

Question then recurring on the amendment to the amendment, it was lost.

Question next recurring on the amendment, it was adopted.

On motion of Mr. Bell, the motion to postpone further consideration of the bill indefinitely was tabled.

Mr. Henderson of McLennan offered the following amendment to the bill:

Amend House bill No. 340 by striking out Section 2 of the bill, lines 28 to 32, inclusive, page 2.

Mr. Lackey moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Henderson of McLennan, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—41.

Baldwin.	McDaniel.
Barker.	Maxwell.
Beasley.	Merritt.
Bird.	Moore.
Blount.	Morgan
Carson.	of Robertson.
Carter of Coke.	Patman.
Cowen.	Pool.
Davenport.	Pope.
DeBerry.	Price.
Green.	Purl.
Hardin	Rowland.
of Kaufman.	Russell
Harris.	of Callahan.
Henderson	Shearer.
of Marion.	Shires.
Henderson	Simpson.
of McLennan.	Storey.
Houston.	Thompson.
Hughes.	Vaughan.
Hull.	Wessels.
Lackey.	Williamson.
Looney.	Wilson.

Nays—75.

Abney.	Carpenter
Amsler.	of Matagorda.
Arnold.	Carter of Hays.
Baker of Milam.	Chitwood.
Baker of Orange.	Collins.
Barrett.	Crawford.
Bell.	Culp.
Bobbitt.	Davis.
Bonham.	Dodd.
Bryant.	Downs.
Burmeister.	Driggers.
Cable.	Duffey.

Dunlap.	Perdue.	Chitwood.	Maxwell.
Dunn.	Potter.	Coffee.	Merritt.
Durham.	Quinn.	Collins.	Miller.
Edwards.	Rice.	Covey.	Montgomery.
Faubion.	Robinson.	Cowen.	Moore.
Fields.	Rogers.	Crawford.	Pate.
Fugler.	Russell of Trinity.	Culp.	Patterson.
Greer.	Sackett.	Davis.	Perdue.
Hardin of Erath.	Sanford.	DeBerry.	Pool.
Harrington.	Satterwhite.	Dodd.	Pope.
Hendricks.	Sparkman.	Downs.	Potter.
Howeth.	Stell.	Driggers.	Price.
Irwin.	Stewart	Duffey.	Purl.
Jennings.	of Edwards.	Dunn.	Quinn.
Kemble.	Stewart of Jasper.	Durham.	Rice.
Laird.	Stewart of Reeves.	Edwards.	Robinson.
Lamb.	Stroder.	Faubion.	Rogers.
Lane.	Sweet.	Fields.	Russell of Trinity.
LeMaster.	Teer.	Fugler.	Sackett.
Lewis.	Thrasher.	Greer.	Sanford.
McBride.	Turner.	Hardin of Erath.	Satterwhite.
McDonald.	Wallace.	Harrington.	Shearer.
McNatt.	Wells.	Harris.	Shires.
Mathes.	Westbrook.	Henderson	Simpson.
Merriman.	Wilmans.	of Marion.	Sparkman.
Miller.	Winfree.	Hendricks.	Stell.
Pate.	Young.	Howeth.	Stewart
Patterson.		Irwin.	of Edwards.

Absent.

Atkinson.	LeSturgeon.
Avis.	Loftin.
Brady.	McFarlane.
Carpenter	McKean.
of Dallas.	Martin.
Coffee.	Melson.
Covey.	Montgomery.
Dinkle.	Morgan
Finlay.	of Liberty.
Frnka.	Pinkston.
Gipson.	Quaid.
Jacks.	Rountree.
Johnson.	Smith.
Jones.	

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

Question next recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 340 was then passed to engrossment by the following vote:

Yeas—99.

Abney.	Blount.
Amsler.	Bobbitt.
Arnold.	Bonham.
Avis.	Bryant.
Baker of Milam.	Burmeister.
Baker of Orange.	Cable.
Barrett.	Carpenter
Bell.	of Matagorda.
Bird.	Carter of Hays.

Chitwood.	Maxwell.
Coffee.	Merritt.
Collins.	Miller.
Covey.	Montgomery.
Cowen.	Moore.
Crawford.	Pate.
Culp.	Patterson.
Davis.	Perdue.
DeBerry.	Pool.
Dodd.	Pope.
Downs.	Potter.
Driggers.	Price.
Duffey.	Purl.
Dunn.	Quinn.
Durham.	Rice.
Edwards.	Robinson.
Faubion.	Rogers.
Fields.	Russell of Trinity.
Fugler.	Sackett.
Greer.	Sanford.
Hardin of Erath.	Satterwhite.
Harrington.	Shearer.
Harris.	Shires.
Henderson	Simpson.
of Marion.	Sparkman.
Hendricks.	Stell.
Howeth.	Stewart
Irwin.	of Edwards.
Jacks.	Stewart of Jasper.
Jennings.	Stewart of Reeves.
Kemble.	Stroder.
Laird.	Sweet.
Lamb.	Teer.
Lane.	Thrasher.
LeMaster.	Turner.
Lewis.	Wallace.
Looney.	Wells.
McBride.	Westbrook.
McDonald.	Williamson.
McKean.	Wilmans.
McNatt.	Winfree.
Martin.	Young.
Mathes.	

Nays—25.

Baldwin.	Lackey.
Barker.	McDaniel.
Beasley.	Merriman.
Carson.	Morgan
Carter of Coke.	of Robertson.
Davenport.	Patman.
Finlay.	Rowland.
Green.	Russell
Hardin	of Callahan.
of Kaufman.	Storey.
Henderson	Thompson.
of McLennan.	Vaughan.
Hughes.	Wessels.
Houston.	Wilson.
Hull.	

Absent.

Atkinson.	Dinkle.
Brady.	Dunlap.
Carpenter	Frnka.
of Dallas.	Gipson.

Johnson.	Morgan
Jones.	of Liberty.
LeStourgeon.	Pinkston.
Loftin.	Quaid.
McFarlane.	Rountree.
Melson.	Smith.

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

Reasons for Vote.

I vote "nay" on House bill No. 340 because of Section 2 therein, which reverses one of the most sacred and most priceless bulwarks of Anglo-Saxon civilization, namely, the principle which presumes innocence of the defendant until proved guilty. Because, further, it abolishes the law of reasonable doubt in liquor violations, and makes the mere fact of accusation prima facie evidence of guilt.

BALDWIN.

HOUSE BILL NO. 340 ON THIRD READING.

Mr. Burmeister moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 340 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Abney.	Driggers.
Amsler.	Duffey.
Arnold.	Dunlap.
Avis.	Dunn.
Baker of Milam.	Durham.
Baker of Orange.	Edwards.
Barrett.	Faubion.
Bell.	Fields.
Bird.	Gipson.
Bobbitt.	Greer.
Bonham.	Hardin of Erath.
Bryant.	Harrington.
Burmeister.	Harris.
Cable.	Henderson
Carpenter	of Marion.
of Matagorda.	Hendricks.
Carter of Hays.	Howeth.
Chitwood.	Hull.
Coffee.	Irwin.
Collins.	Jennings.
Covey.	Kemble.
Cowen.	Lackey.
Crawford.	Laird.
Culp.	Lamb.
Davis.	Lane.
Dodd.	LeMaster.
Downs.	Looney.

McBride.	Sackett.
McDonald.	Sanford.
McKean.	Satterwhite.
McNatt.	Shearer.
Martin.	Simpson.
Mathes.	Sparkman.
Maxwell.	Stell.
Merritt.	Stewart
Miller.	of Edwards.
Montgomery.	Stewart of Jasper.
Moore.	Stewart of Reeves.
Pate.	Stroder.
Patterson.	Sweet.
Perdue.	Teer.
Pope.	Thrasher.
Potter.	Turner.
Price.	Wallace.
Quaid.	Wells.
Quinn.	Westbrook.
Rice.	Williamson.
Robinson.	Wilmans.
Rogers.	Winfree.
Russell of Trinity.	Young.

Nays—24.

Barker.	McDaniel.
Beasley.	Merriman.
Carson.	Morgan
Carter of Coke.	of Robertson.
Davenport.	Patman.
DeBerry.	Pool.
Finlay.	Russell
Fugler.	of Callahan.
Green.	Shires.
Henderson	Storey.
of McLennan.	Thompson.
Houston.	Vaughan.
Hughes.	Wessels.
Loftin.	Wilson.

Absent.

Atkinson.	Jones.
Baldwin.	LeStourgeon.
Blount.	Lewis.
Brady.	McFarlane.
Carpenter	Melson.
of Dallas.	Morgan
Dinkle.	of Liberty.
Frnka.	Pinkston.
Hardin	Purl.
of Kaufman.	Rountree.
Jacks.	Rowland.
Johnson.	Smith.

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

The Speaker then laid House bill No. 340 before the House, on its third reading and final passage.

The bill was read third time.

Mr. Hardin of Kaufman offered the following amendment to the bill:

Amend House bill No. 340, by adding at the end of line 15, page 2, the following: "Every candidate for office who calls himself a prohibitionist or publicly supports prohibition in his campaign shall make affidavit that he has not used intoxicating beverages of any kind during the preceding twelve months, and the name of such candidate shall not be placed upon the ballot until such affidavit has been filed."

Mr. Burmeister raised a point of order on consideration of the amendment on the ground that the amendment is not germane to the purpose of the bill.

The Speaker sustained the point of order.

Mr. Hardin of Kaufman offered the following amendment to the bill:

Add at the end of Section 1 the following: "Every donation of every kind made to any organization for the purpose of encouraging or enforcing the prohibition laws shall be accompanied by an affidavit from the donor that he has not used intoxicating beverages during the preceding two years."

Mr. Burmeister raised a point of order on consideration of the amendment on the ground that the amendment is not germane to the purpose of the bill.

The Speaker sustained the point of order.

Mr. Baldwin offered the following amendment to the bill:

Amend House bill No. 340, Section 2, by striking out all of lines 30, 31 and 32 after the word "possession" and insert in lieu thereof the words "shall be conclusive evidence of guilt."

Mr. Burmeister moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Baldwin, it was lost.

Question next recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 340 was then finally passed by the following vote:

Yeas—101.

Abney.	Bell.
Amsler.	Bird.
Arnold.	Bobbitt.
Baker of Milam.	Bonham.
Baker of Orange.	Bryant.
Barrett.	Burmeister.
Beasley.	Cable.

Carpenter	Maxwell.
of Matagorda.	Melson.
Carter of Hays.	Merritt.
Coffee.	Miller.
Collins.	Montgomery.
Covey.	Moore.
Cowen.	Pate.
Crawford.	Morgan
Culp.	of Liberty.
Davis.	Patman.
DeBerry.	Patterson.
Dodd.	Perdue.
Downs.	Pope.
Driggers.	Potter.
Duffey.	Price.
Dunn.	Purl.
Edwards.	Quaid.
Faubion.	Quinn.
Fields.	Rice.
Fugler.	Robinson.
Gipson.	Rogers.
Greer.	Russell
Hardin of Erath.	of Callahan.
Harrington.	Russell of Trinity.
Harris.	Sackett.
Henderson	Sanford.
of Marion.	Satterwhite.
Hendricks.	Shires.
Howeth.	Simpson.
Irwin.	Smith.
Jacks.	Sparkman.
Jennings.	Stewart
Kemble.	of Edwards.
Lackey.	Stewart of Jasper.
Laird.	Stewart of Reeves.
Lamb.	Stroder.
Lane.	Sweet.
LeMaster.	Teer.
Lewis.	Thrasher.
Loftin.	Wallace.
McBride.	Wells.
McDonald.	Westbrook.
McKean.	Williamson.
McNatt.	Wilmans.
Martin.	Winfree.
Mathes.	Young.

Nays—23.

Baldwin.	Looney.
Barker.	McDaniel.
Carson.	Merriman.
Carter of Coke.	Morgan
Finlay.	of Robertson.
Green.	Shearer.
Hardin	Stell.
of Kaufman.	Storey.
Henderson	Thompson.
of McLennan.	Vaughan.
Houston.	Wessels.
Hughes.	Wilson.
Hull.	

Absent.

Atkinson.	Brady.
Avis.	Carpenter
Blount.	of Dallas.

Chitwood.	Jones.
Davenport.	LeSturgeon.
Dielmann.	McFarlane.
Dinkle.	Pinkston.
Dunlap.	Pool.
Durham.	Rountree.
Frnka.	Rowland.
Johnson.	Turner.

Absent—Excused.

Lusk.	Stiernberg.
Stevens.	Strickland.

Reasons For Votes.

I voted "yea" on House bill No. 340, but I am opposed to Section 2 of the bill.

PATMAN.

I vote for House bill No. 340, but am against Section 2 of said bill.

RUSSELL of Callahan.

I vote "nay" on House bill No. 340, not because I am against the general provisions of the act, but because I can not vote for the bill while it contains Section 2.

GREEN.

I offered the amendment to Section 2 of House bill No. 340 not because I am in favor of any such preposterous proposition, but merely to use that method of calling attention to the principle violated by said section. I favor the bill if Section 2 is eliminated. I voted "nay" on my own amendment.

BALDWIN.

I voted for House bill No. 340 because of its merits outside of Section 2, but I opposed Section 2 because I believe that it places the burden on a defendant instead of on the State.

PRICE.

Mr. Burmeister moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,
Austin, Texas, February 28, 1923.

To the Members of the House of Representatives, Thirty-eighth Legislature.

Gentlemen: I am returning herewith to you, with my disapproval and veto,

House bill No. 11. This bill provides that when the sheriff or any constable of a county takes into his custody a lunatic, that said lunatic "shall not be incarcerated in any jail, if there is a county or city hospital in the county where the warrant for the arrest of said lunatic is issued, but such person, that is, the lunatic, shall be placed in either the county or city hospital and there detained until trial and commitment into the State asylum."

It is clearly observed from the reading of the bill that the officer has no discretion. He is prohibited from placing the lunatic in the jail if there is a county or city hospital anywhere in the county. Quite frequently, a lunatic becomes a raging, dangerous character; frequently they are boisterous and obstreperous. It appears to me that it would be unwise to incarcerate either a desperate character or a boisterous character in the average city or county hospital filled with sick women and children. It might not only be dangerous, but nerve-wrecking to patients in such hospitals and detrimental in many ways to the peace and quietude of the institution. Under the provisions of the bill, it might be necessary to keep a dangerous or a boisterous non compos mentis in one of these hospitals for weeks, and it would make no difference how violent the lunatic might become or what exigencies might arise that would necessitate his confinement in a safer and more secure place, the sheriff or constable could not, without violating the law, place said lunatic or non compos mentis in jail for safe and secure keeping. If, under the provisions of the bill, an officer had been allowed to exercise discretion in the safekeeping of lunatics, the bill might have proved to be a much-needed and effective one, but to prohibit an officer from placing a lunatic in jail for safekeeping at any time and under any conditions certainly would not be wise. For these reasons the bill is hereby disapproved, vetoed and returned to you.

Respectfully,
PAT M. NEFF,
Governor.

INVITING HON. SIDNEY SMITH TO ADDRESS THE LEGISLATURE.

Mr. Potter offered the following resolution:

H. C. R. No. 14, Inviting Hon. Sidney Smith to address the Legislature.

Whereas, Sidney Smith, the famous cartoonist and the creator of Andy Gump, is now making a tour of the United States and has addressed joint sessions of the Oklahoma, Arkansas and Louisiana State Legislatures; and

Whereas, His characters, Andy Gump and family, have become household personalities in America; and

Whereas, Mr. Smith will be in Austin March the 5th; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Mr. Smith be invited to address the joint session of the House and Senate in the Hall of the House at 11 o'clock Tuesday morning, March the 6th, and that he be invited to give a sketch portrayal of Andy Gump during his address.

Signed—Potter, Kemble, Jones, McNatt and Winfree.

The resolution was read second time and was adopted.

BILL RECOMMITTED.

On motion of Mr. Lamb, Senate bill No. 205 was recommitted to the Committee on School Districts.

PROVIDING FOR ADJOURNMENT SINE DIE.

Mr. Simpson offered the following resolution:

H. C. R. No. 25, Providing for adjournment sine die.

Resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Thirty-eighth Legislature adjourn sine die, March 9, 1923, at 12 o'clock noon.

Signed—Simpson, Davenport, Westbrook, Miller, Crawford, Greer, Loftin, Storey, Stewart of Reeves, Abney, Henderson of Marion, Sanford, Finlay, Jennings, Barrett, Downs, Barker, LeSturgeon, Potter, Bobbitt, Sparkman, McNatt, Stroder, Perdue, Lane, Pate, Bryant, Wessels, McKean, Patman, McBride, Hughes, Williamson, Harris, McFarlane, Hull.

The resolution was read second time.

Mr. Baldwin offered the following amendment to the resolution:

Amend House concurrent resolution No. 25, by striking out "March 9" and inserting "March 17."

Mr. Stewart of Reeves offered the following substitute for the amendment:

Substitute by changing the date to "March 10th, 10 p. m."

Mr. Rountree moved that the resolution be laid on the table subject to call.

Question first recurring on the motion to lay the resolution on the table subject to call, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—39.

Arnold.	Laird.
Baldwin.	Lane.
Bell.	Martin.
Blount.	Maxwell.
Carpenter	Patterson.
of Matagorda.	Purl.
Carson.	Quaid.
Collins.	Quinn.
Covey.	Rice.
Culp.	Rogers.
Downs.	Rountree.
Dunlap.	Sackett.
Edwards.	Shearer.
Faubion.	Stell.
Fields.	Stewart of Jasper.
Hardin of Erath.	Teer.
Howeth.	Wallace.
Irwin.	Wells.
Jacks.	Westbrook.
Lackey.	Young.

Nays—87.

Abney.	Henderson
Amsler.	of McLennan.
Avis.	Hendricks.
Baker of Milam.	Houston.
Baker of Orange.	Hughes.
Barker.	Hull.
Barrett.	Jennings.
Beasley.	Jones.
Bird.	Kemble.
Bobbitt.	Lamb.
Bonham.	LeMaster.
Bryant.	Lewis.
Burmeister.	Loftin.
Cable.	Looney.
Carter of Coke.	McBride.
Carter of Hays.	McDaniel.
Chitwood.	McDonald.
Coffee.	McKean.
Cowen.	McNatt.
Crawford.	Melson.
Davenport.	Merriman.
Davis.	Merritt.
DeBerry.	Miller.
Dodd.	Moore.
Driggers.	Morgan
Duffey.	of Liberty.
Dunn.	Morgan
Finlay.	of Robertson.
Green.	Pate.
Greer.	Patman.
Hardin	Perdue.
of Kaufman.	Pool.
Harrington.	Pope.
Henderson	Price.
of Marion.	Robinson.

Rowland.	Storey.
Russell	Stroder.
of Callahan.	Sweet.
Russell of Trinity.	Thompson.
Sanford.	Thrasher.
Satterwhite.	Turner.
Shires.	Vaughan.
Simpson.	Wessels.
Smith.	Williamson.
Sparkman.	Wilmans.
Stewart	Wilson.
of Edwards.	Winfree.
Stewart of Reeves.	

Absent.

Atkinson.	Harris.
Brady.	Johnson.
Carpenter	LeSturgeon.
of Dallas.	McFarlane.
Dinkle.	Mathes.
Durham.	Montgomery.
Frnka.	Pinkston.
Fugler.	Potter.
Gipson.	

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

Mr. Miller moved the previous question on the pending amendments and the resolution, and the main question was ordered.

Question first recurring on the substitute by Mr. Stewart of Reeves, yeas and nays were demanded.

The substitute was adopted by the following vote:

Yeas—71.

Abney.	Harrington.
Amsler.	Henderson
Avis.	of Marion.
Baker of Milam.	Henderson
Baker of Orange.	of McLennan.
Barker.	Houston.
Barrett.	Hughes.
Bird.	Hull.
Bobbitt.	Jacks.
Bryant.	Jennings.
Burmeister.	Jones.
Cable.	Kemble.
Carson.	Lamb.
Carter of Coke.	Lewis.
Carter of Hays.	Loftin.
Cowen.	McDaniel.
Crawford.	McDonald.
Davenport.	McNatt.
Davis.	Melson.
Dodd.	Merriman.
Driggers.	Merritt.
Finlay.	Miller.
Green.	Montgomery.

Morgan	Stewart
of Liberty.	of Edwards.
Pate.	Stewart of Reeves.
Patman.	Storey.
Perdue.	Sweet.
Pool.	Thompson.
Pope.	Thrasher.
Price.	Turner.
Purl.	Westbrook.
Quinn.	Wessels.
Rowland.	Williamson.
Russell of Trinity.	Wilmans.
Sanford.	Wilson.
Shires.	Winfree.
Smith.	

Nays—57.

Arnold.	Looney.
Baldwin.	McBride.
Beasley.	McKean.
Bell.	Martin.
Blount.	Mathes.
Bonham.	Maxwell.
Carpenter	Moore.
of Matagorda.	Morgan
Chitwood.	of Robertson.
Coffee.	Patterson.
Collins.	Quaid.
Covey.	Rice.
Culp.	Robinson.
DeBerry.	Rogers.
Downs.	Rountree.
Duffey.	Russell
Dunlap.	of Callahan.
Dunn.	Sackett.
Edwards.	Satterwhite.
Fields.	Shearer.
Gipson.	Simpson.
Greer.	Sparkman.
Hardin of Erath.	Stell.
Hardin	Stewart of Jasper.
of Kaufman.	Stroder.
Howeth.	Teer.
Irwin.	Vaughan.
Lackey.	Wallace.
Laird.	Wells.
Lane.	Young.
LeMaster.	

Present—Not Voting.

Harris.

Absent.

Atkinson.	Fugler.
Brady.	Hendricks.
Carpenter	Johnson.
of Dallas.	LeSturgeon.
Dinkle.	McFarlane.
Durham.	Pinkston.
Faubion.	Potter.
Frnka.	

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

Question next recurring on the amendment as substituted, yeas and nays were demanded.

The amendment as substituted was adopted by the following vote:

Yeas—85.

Amsler.	Martin.
Avis.	Mathes.
Baker of Milam.	Melson.
Baker of Orange.	Merriman.
Baldwin.	Merritt.
Barker.	Miller.
Barrett.	Montgomery.
Beasley.	Moore.
Bell.	Morgan
Bird.	of Liberty.
Blount.	Morgan
Bobbitt.	of Robertson.
Bryant.	Pate.
Burmeister.	Perdue.
Cable.	Pool.
Carpenter	Pope.
of Matagorda.	Price.
Carson.	Purl.
Carter of Coke.	Quinn.
Carter of Hays.	Robinson.
Chitwood.	Rountree.
Coffee.	Rowland.
Collins.	Russell
Covey.	of Callahan.
Cowen.	Russell of Trinity.
Davenport.	Satterwhite.
DeBerry.	Shearer.
Driggers.	Shires.
Dunn.	Smith.
Edwards.	Sparkman.
Finlay.	Stell.
Green.	Stewart
Harrington.	of Edwards.
Houston.	Stewart of Reeves.
Hull.	Sweet.
Irwin.	Teer.
Jacks.	Thrasher.
Jennings.	Turner.
Jones.	Wallace.
Kemble.	Wells.
Lamb.	Westbrook.
LeMaster.	Wessels.
Lewis.	Williamson.
McDaniel.	Wilmans.
McDonald.	Wilson.
McNatt.	Winfree.

Nays—38.

Abney.	Hardin
Arnold.	of Kaufman.
Bonham.	Henderson
Crawford.	of Marion.
Davis.	Henderson
Dodd.	of McLennan.
Downs.	Howeth.
Dunlap.	Hughes.
Fields.	Lackey.
Greer.	Laird.
Hardin of Erath.	Lane.

Loftin.	Sackett.
Looney.	Sanford.
McBride.	Simpson.
McKean.	Stewart of Jasper.
Maxwell.	Storey.
Patman.	Stroder.
Patterson.	Thompson.
Quaid.	Vaughan.
Rice.	Young.
Rogers.	

Present—Not Voting.

Harris.

Absent.

Atkinson.	Frnka.
Brady.	Fugler.
Carpenter	Gipson.
of Dallas.	Hendricks.
Culp.	Johnson.
Dinkle.	LeStourgeon.
Duffey.	McFarlane.
Durham.	Pinkston.
Faubion.	Potter.

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

Question then recurring on the resolution as amended, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—86.

Abney.	Harrington.
Amsler.	Harris.
Avis.	Henderson
Baker of Milam.	of McLennan.
Baker of Orange.	Houston.
Barker.	Howeth.
Barrett.	Hughes.
Bell.	Hull.
Bird.	Jacks
Blount.	Jennings.
Bobbitt.	Jones.
Bryant.	Kemble.
Burmeister.	Lackey.
Cable.	Lamb.
Carson.	LeMaster.
Carter of Coke.	Lewis.
Carter of Hays.	McBride.
Chitwood.	McDonald.
Coffee.	McNatt.
Collins.	Melson.
Cowen.	Merriman.
Crawford.	Merritt.
Davenport.	Miller.
DeBerry.	Montgomery.
Dodd.	Morgan
Driggers.	of Liberty.
Dunlap.	Pate.
Finlay.	Patman.
Green.	Pool.
Greer.	Pope.

Price.	Storey.
Quinn.	Stroder.
Robinson.	Sweet.
Rowland.	Thompson.
Russell	Thrasher.
of Callahan.	Turner.
Russell of Trinity.	Vaughan.
Sanford.	Wallace.
Shires.	Wells.
Simpson.	Westbrook.
Smith.	Wessels.
Sparkman.	Williamson.
Stewart	Wilmons.
of Edwards.	Wilson.
Stewart of Reeves.	Winfree.

Nays—34.

Arnold.	Mathes.
Baldwin.	Maxwell.
Beasley.	Moore.
Bonham.	Morgan
Carpenter	of Robertson.
of Matagorda.	Patterson.
Covey.	Purl.
Culp.	Quaid.
Davis.	Rice.
Dunn.	Rogers.
Edwards.	Rountree.
Fields.	Sackett.
Hardin of Erath.	Satterwhite.
Irwin.	Shearer.
Laird.	Stell.
Lane.	Stewart of Jasper.
Looney.	Teer.
Martin.	Young.

Present—Not Voting.

Downs.

Absent.

Atkinson.	Henderson
Brady.	of Marion.
Carpenter	Hendricks.
of Dallas.	Johnson.
Dinkle.	LeSturgeon.
Duffey.	Loftin.
Durham.	McDaniel.
Faubion.	McFarlane.
Frnka.	McKean.
Fugler.	Perdue.
Gipson.	Pinkston.
Hardin	Potter.
of Kaufman.	

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 28, 1923.
Hon. R. E. Seagler, Speaker of the House
of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed

S. B. No. 160, A bill to be entitled "An Act providing for the execution of convicts condemned to death by electrocution; prescribing the procedure in such cases; providing the means for accomplishing the purposes of this act; repealing certain statutes, and all laws or parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 198, A bill to be entitled "An Act authorizing any street or suburban railway company, or interurban railway company, to lease or acquire and own, maintain and operate automobiles, automobile buses and automobile bus lines for transportation of passengers or property, or both; authorizing the inclusion of such powers in the charters of such companies hereafter organized, so as to include such powers, and declaring an emergency."

S. B. No. 300, A bill to be entitled "An Act providing the manner in which notice may be given by a party to a proceeding before any commission, board or other administrative or quasi-judicial agency in this State that he will not abide by, or that he appeals or intends to appeal from, the final order, ruling or decision of such commission, board or other agency; providing that this act shall be cumulative of other laws specifying the manner in which any such notice may be given; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,
Assistant Secretary of the Senate.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Barrett, the following bills were ordered not printed: House bills Nos. 375, 649, 547.

BILL RECOMMITTED.

On motion of Mr. Blount, Senate bill No. 100 was recommitted to the Committee on Banks and Banking.

NOTICE GIVEN.

Mr. Russell of Callahan gave notice that he would tomorrow call up for consideration at that time House bill No. 383, which bill had heretofore been laid on the table subject to call.

BILL RE-REFERRED.

On motion of Mr. Miller, House bill No. 646 was withdrawn from the Com-

mittee on State Affairs and referred to the Committee on Claims and Accounts.

HOUSE BILL NO. 270 ON SECOND READING.

On motion of Mr. Abney, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 270, A bill to be entitled "An Act providing for the disposition of liquor seized by officers and others under the prohibition laws of the State; providing that reports in triplicate be made and the liquor and other property be left with the sheriff, and receipt taken, and the sheriff be held responsible on his bond for the safe keeping of the same, and providing penalties for the violation of this act."

The Speaker laid the bill before the House and it was read second time.

Mr. Abney offered the following (committee) amendment to the bill:

Strike out all below the enacting clause, and insert in lieu thereof the following:

Section 1. In all cases where intoxicating liquors or any personal property used for the purpose of violating any of the intoxicating liquor laws of this State shall be seized by any officer with or without a search warrant, such officer shall immediately make a written report thereof, which report shall in detail state the name of the officer making the seizure, the place where seized and an inventory of the property, articles or intoxicating liquors so taken into possession. The report shall be in triplicate and signed by the officer seizing, and one witness, if there be a witness present. One copy shall be given to the person from whom the goods are taken, one copy shall be sworn to by the officer who makes the seizure and immediately filed with the county clerk of the county in which the goods are seized, and one copy shall be retained by the officer who makes the seizure. Said officer, if not the sheriff, shall immediately deliver to the sheriff of the county the goods seized, and take the sheriff's receipt therefor in duplicate. And such sheriff shall retain the intoxicating liquor or personal property so seized and hold the same until the same shall be disposed of by proper orders of the district court of the county in which property was seized. The duplicate copy of said receipt shall immediately be filed with said county clerk.

All liquors and property so seized shall

be preserved for use as evidence in the trial of any action growing out of such seizure, and all officers seizing such liquors or property are hereby required to mark the date of seizure and the name of the person from whom seized. The sheriff shall be liable on his bond for the safe keeping of all such property so turned over to him under the provisions of this act.

Sec. 2. Any officer who shall give away or dispose of any intoxicating liquor in violation of the provisions of this act, or who shall wilfully make a false report of intoxicating liquors or personal property used for the purpose of violating the intoxicating liquor laws, seized by him, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by confinement in the penitentiary for a period of not less than one year or more than five years. Any officer who shall fail to comply with any of the other provisions of Section 1 of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars (\$25) or more than one hundred (\$100) dollars, or by imprisonment in the county jail not more than sixty (60) days, or by both such fine and imprisonment.

Sec. 3. The importance of this act in connection with law enforcement in this State and the necessity of it becoming a law as soon as possible creates an emergency and an imperative public necessity making necessary the suspension of the constitutional rule requiring bills to be read on three several days in each house, and that this act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted.

The (committee) amendment was adopted.

Mr. Abney offered the following amendment to the bill:

Strike out all above enacting clause and insert: "A bill to be entitled 'An Act to provide for the making and preservation of reports and records of all intoxicating liquors and personal property used for the purpose of violating the intoxicating liquor laws seized by officers; to provide for the custody and disposition of such liquors and property, and to provide penalties and punishment for violations of its terms, and declaring an emergency.'"

The amendment was adopted.

House bill No. 270 was then passed to engrossment.

HOUSE BILL NO. 270 ON THIRD
READING.

Mr. Abney moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 270 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Lane.
Abney.	LeMaster.
Amsler.	Lewis.
Arnold.	McBride.
Baker of Milam.	McDaniel.
Baker of Orange.	McDonald.
Baldwin.	McNatt.
Barker.	Martin.
Beasley.	Mathes.
Bell.	Maxwell.
Bird.	Merriman.
Bobbitt.	Merritt.
Bryant.	Montgomery.
Burmeister.	Moore.
Cable.	Morgan
Carpenter	of Liberty.
of Matagorda.	Pate.
Carson.	Patman.
Collins.	Patterson.
Covey.	Perdue.
Cowen.	Pope.
Crawford.	Purl.
Culp.	Quaid.
Davis.	Rice.
DeBerry.	Robinson.
Dodd.	Rogers.
Downs.	Rountree.
Driggers.	Russell
Duffey.	of Callahan.
Dunlap.	Russell of Trinity.
Dunn.	Sackett.
Edwards.	Sanford.
Faubion.	Satterwhite.
Fields.	Shearer.
Finlay.	Simpson.
Green.	Sparkman.
Greer.	Stell.
Hardin of Erath.	Stewart
Hardin	of Edwards.
of Kaufman.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of Marion.	Storey.
Henderson	Stroder.
of McLennan.	Sweet.
Houston.	Thrasher.
Howeth.	Turner.
Hughes.	Vaughan.
Hull.	Wallace.
Irwin.	Wells.
Jacks.	Wessels.
Jennings.	Wilmons.
Jones.	Wilson.
Kemble.	Winfree.
Lackey.	Young.
Laird.	

Nays—1.

Rowland.

Present—Not Voting.

McKean.

Absent.

Atkinson.	Johnson.
Avis.	Lamb.
Barrett.	LeStourgeon.
Blount.	Loftin.
Bonham.	Looney.
Brady.	McFarlane.
Carpenter	Melson.
of Dallas.	Miller.
Carter of Coke.	Morgan
Carter of Hays.	of Robertson.
Chitwood.	Pinkston.
Coffee.	Pool.
Davenport.	Potter.
Dinkle.	Price.
Durham.	Quinn.
Frnka.	Shires.
Fugler.	Smith.
Gipson.	Teer.
Harrington.	Thompson.
Harris.	Westbrook.
Hendricks.	Williamson.

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

The Speaker then laid House bill No. 270 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Abney.	Davenport.
Amsler.	Davis.
Arnold.	DeBerry.
Baker of Milam.	Dodd.
Baker of Orange.	Downs.
Baldwin.	Driggers.
Barker.	Duffey.
Barrett.	Dunlap.
Bell.	Dunn.
Bird.	Edwards.
Bobbitt.	Faubion.
Bryant.	Fields.
Burmeister.	Finlay.
Cable.	Green.
Carpenter	Greer.
of Matagorda.	Hardin of Erath.
Carson.	Harris.
Collins.	Henderson
Covey.	of Marion.
Cowen.	Henderson
Crawford.	of McLennan.
Culp.	Houston.

Howeth.	Robinson.
Hughes.	Rogers.
Hull.	Rountree.
Irwin.	Rowland.
Jacks.	Russell
Jennings.	of Callahan.
Kemble.	Russell of Trinity.
Lackey.	Sackett.
Laird.	Sanford.
Lane.	Satterwhite.
Lewis.	Shearer.
McBride.	Shires.
McDaniel.	Simpson.
McDonald.	Smith.
McNatt.	Sparkman.
Martin.	Stell.
Mathes.	Stewart
Maxwell.	of Edwards.
Merriman.	Stewart of Jasper.
Merritt.	Stewart of Reeves.
Miller.	Storey.
Montgomery.	Stroder.
Morgan	Sweet.
of Liberty.	Teer.
Pate.	Thrasher.
Patman.	Turner.
Patterson.	Wallace.
Perdue.	Wells.
Pool.	Wessels.
Pope.	Wilmans.
Price.	Wilson.
Purl.	Winfree.
Quaid.	Young.
Rice.	

Present—Not Voting.

McKean.

Absent.

Atkinson.	Hendricks.
Avis.	Johnson.
Beasley.	Jones.
Blount.	Lamb.
Bonham.	LeMaster.
Brady.	LeSturgeon.
Carpenter	Loftin.
of Dallas.	Looney.
Carter of Coke.	McFarlane.
Carter of Hays.	Melson.
Chitwood.	Moore.
Coffee.	Morgan
Dinkle.	of Robertson.
Durham.	Pinkston.
Frnka.	Potter.
Fugler.	Quinn.
Gipson.	Thompson.
Hardin	Vaughan.
of Kaufman.	Westbrook.
Harrington.	Williamson.

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

MOTION TO ADJOURN.

Mr. Cable moved that the House adjourn until 5 o'clock p. m. today, and the motion was lost.

HOUSE BILL NO. 339 ON SECOND READING.

On motion of Mr. Hull, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 339, A bill to be entitled "An Act making all fees of office other than those provided in Title 58 of the Complete Texas Statutes of 1920, known as the 'Fee Bill,' ex-officio fees of office, and provided said ex-officio fees shall be in addition to the maximum salary for office holders now provided in said title, and repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 339 ON THIRD READING.

Mr. Hull moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 339 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—88.

Mr. Speaker.	Finlay.
Abney.	Greer.
Amsler.	Hardin of Erath.
Arnold.	Henderson
Baker of Milam.	of Marion.
Baker of Orange.	Henderson
Barrett.	of McLennan.
Beasley.	Houston.
Bobbitt.	Howeth.
Carpenter	Hughes.
of Matagorda.	Hull.
Carson.	Irwin.
Covey.	Jacks.
Cowen.	Jennings.
Crawford.	Jones.
Culp.	Lackey.
Davenport.	Laird.
Davis.	Lamb.
Downs.	Lane.
Driggers.	Lewis.
Duffey.	McBride.
Dunlap.	McDaniel.
Dunn.	McNatt.
Edwards.	Martin.
Faubion.	Maxwell.
Fields.	Merritt.

Miller.	Satterwhite.
Montgomery.	Shearer.
Moore.	Shires.
Morgan	Simpson.
of Liberty.	Smith.
Pate.	Sparkman.
Patterson.	Stewart
Perdue.	of Edwards.
Pool.	Stewart of Jasper.
Pope.	Stroder.
Price.	Teer.
Purl.	Thompson.
Quaid.	Thrasher.
Quinn.	Turner.
Rice.	Wallace.
Robinson.	Wells.
Rogers.	Williamson.
Rountree.	Wilmans.
Rowland.	Wilson.
Russell of Trinity.	Winfree.
Sanford.	Young.

Nays—14.

Barker.	Mathes.
Burmeister.	Sackett.
Cable.	Stell.
DeBerry.	Stewart of Reeves.
Dodd.	Sweet.
Looney.	Westbrook.
McKean.	

Present—Not Voting.

Storey.

Absent.

Atkinson.	Harrington.
Avis.	Harris.
Baldwin.	Hendricks.
Bell.	Johnson.
Bird.	Kemble.
Blount.	LeMaster.
Bonham.	LeSturgeon.
Brady.	Loftin.
Bryant.	McDonald.
Carpenter	McFarlane.
of Dallas.	Melson.
Carter of Coke.	Merriman.
Carter of Hays.	Morgan
Chitwood.	of Robertson.
Coffee.	Patman.
Collins.	Pinkston.
Dinkle.	Potter.
Durham.	Russell
Frnka.	of Callahan.
Fugler.	Vaughan.
Gipson.	Wessels.
Green.	
Hardin	
of Kaufman.	

Absent—Excused.

Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

The Speaker then laid House bill No. 339 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—65.

Arnold.	McNatt.
Baker of Milam.	Maxwell.
Baker of Orange.	Melson.
Beasley.	Merritt.
Bobbitt.	Miller.
Carson.	Montgomery.
Carter of Coke.	Morgan
Carter of Hays.	of Robertson.
Collins.	Patterson.
Cowen.	Perdue.
Crawford.	Pool.
Davenport.	Pope.
Downs.	Purl.
Driggers.	Quaid.
Edwards.	Quinn.
Faubion.	Robinson.
Fields.	Rogers.
Gipson.	Russell
Green.	of Callahan.
Greer.	Sanford.
Hardin of Erath.	Shearer.
Henderson	Smith.
of McLennan.	Sparkman.
Hughes.	Stroder.
Hull.	Teer.
Irwin.	Thrasher.
Jacks.	Turner.
Jennings.	Vaughan.
Jones.	Wells.
Kemble.	Wessels.
Lamb.	Williamson.
Lane.	Wilmans.
Lewis.	Wilson.
McDonald.	Winfree.
McKean.	

Nays—32.

Abney.	Howeth.
Barker.	Laird.
Bell.	Looney.
Burmeister.	McDaniel.
Cable.	Martin.
Carpenter	Mathes.
of Matagorda.	Rice.
Covey.	Rowland.
Culp.	Sackett.
Davis.	Satterwhite.
DeBerry.	Stell.
Dodd.	Stewart
Duffey.	of Edwards.
Dunn.	Stewart of Reeves.
Finlay.	Sweet.
Harrington.	Thompson.
Harris.	Westbrook.
Houston.	

Present—Not Voting.

Amsler.	Pate.
Bonham.	Simpson.

Storey.	Young.
	Absent.
Atkinson.	Hendricks.
Avis.	Johnson.
Baldwin.	Lackey.
Barrett.	LeMaster.
Bird.	LeSturgeon.
Blount.	Loftin.
Brady.	McBride.
Bryant.	McFarlane.
Carpenter	Merriman.
of Dallas.	Moore.
Chitwood.	Morgan
Coffee.	of Liberty.
Dinkle.	Patman.
Dunlap.	Pinkston.
Durham.	Potter.
Frnka.	Price.
Fugler.	Rountree.
Hardin	Russell of Trinity.
of Kaufman.	Shires.
Henderson	Stewart of Jasper.
of Marion.	Wallace.
	Absent.
Dielmann.	Stiernberg.
Lusk.	Strickland.
Stevens.	

(Mr. Satterwhite in the chair.)

HOUSE BILL NO. 336 ON SECOND READING.

On motion of Mr. Jacks, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 336, A bill to be entitled "An Act to prevent any person, corporation, partnership, trust estate, or other legal entity, from selling or offering for sale, or causing to be offered for sale as the publisher thereof, and the printer thereof, in the State of Texas, of any newspaper, or other publication, representing to be a newspaper, when such person, or legal entity, does not own property, not exempt from execution, and unincumbered, to an assessed value of \$10,000, within the State of Texas, and providing that when such person or legal entity shall furnish bond in the sum of \$10,000 for every such newspaper sold, or offered to be sold or caused to be offered for sale, in units or lots under 20,000, either daily or weekly, and a further bond of \$5000 for every 10,000 over and above 20,000 or parts thereof, until a maximum bond of \$25,000 shall have been furnished, such bond to be approved by the county judge of the county in which such newspaper or pub-

lication is published, and to be filed with the county clerk, and indexed by him in a special book to be kept for that purpose, and such bond shall run in favor of such county judge and shall be conditioned that should any judgment be rendered in any court of proper jurisdiction within the State of Texas against such person or legal entity because of alleged libelous statements contained in such newspaper or publication, that such person or legal entity shall pay to the county judge as the property of, and for the use and benefit of, the person recovering such judgment, as against the bond, not to exceed the amount of the bond, and fixing a penalty, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Jacks offered the following (committee) amendment to the bill:

Strike out all below the enacting clause and insert in lieu thereof the following:

Section 1. That hereafter, no person, persons, corporations, partnerships or trust estate, or other legal entity, shall sell, or offer for sale, or cause to be offered for sale, any newspaper, or other publication represented to be a newspaper, when such person, or other legal entity, is the publisher or printer of such newspaper or publication, with a circulation of five thousand (5000) copies or over, daily or weekly, unless such person or other legal entity shall be the owner in fee of property, in the State of Texas, unincumbered by lien, assessed on the tax rolls of the county in which such newspaper or publication is published, not exempt from execution at a value of ten thousand dollars (\$10,000). Provided that this prohibition shall not restrain such persons or legal entity from so publishing such newspaper or publication, if such person shall execute a good and sufficient bond, to be approved by the county judge of the county in which such newspaper or publication is published, in the sum of ten thousand dollars (\$10,000), for every such newspaper or publication sold, or offered for sale, or caused to be offered for sale, in units or lots under twenty thousand (20,000), either at intervals of one day or one week, and the bond to be increased five thousand dollars (\$5000) for every ten thousand (10,000) of circulation or parts thereof, over and above 20,000, until a maximum bond of twenty-five thousand dollars

(\$25,000) shall have been furnished, such bond to be filed with the county clerk of such county, and by him indexed in a proper book to be kept for that purpose, and such bond shall be payable to such county judge, and shall be conditioned that should any judgment be rendered in any court of proper jurisdiction within the State of Texas against such person or legal entity so bonded, because of alleged libelous statements contained in such newspaper, that such person or legal entity, or in the event of the failure of such person or legal entity to so pay, that the sureties on such bond will pay, shall pay to the county judge of such county, the amount of the judgment, as the property of, and for the use and benefit of, the person recovering such judgment, as against the bond, not to exceed the amount of the bond, and that said bond shall be signed by two good and sufficient sureties, or authorized bonding company, to be approved by the county judge, and if the amount of the bond is not sufficient to pay the judgment, that such person holding such judgment may recover the balance due after the bond is exhausted as in case of ordinary execution.

Sec. 2. Penalty.—That any person, corporation, partnership, jointly or severally, or their agents, servants or employees, jointly or severally acting in their own behalf, or as the representatives of another, violating the provisions of this act shall be deemed guilty of a felony, and upon conviction, shall be punished by imprisonment in the penitentiary for a term of not more than five years nor less than one year, or by a fine of not less than one hundred nor more than one thousand dollars, or by both such fine and imprisonment.

Sec. 3. In view of the fact that there are in the State of Texas, at the present time, certain newspapers or publications that absolutely own no property in the State of Texas, by means of which they could be held liable in a civil suit for libelous and slanderous statements that they make against the good names of the good citizens of the State of Texas, and such corporations are foreign controlled in many instances, and in further view of the fact that such newspapers publish only the sensational and vulgar news of the day or practice what is known as yellow journalism, and that they are operated by absolutely irresponsible persons, both morally and

financially, and are every day that passes libeling and slandering the good name of the good citizens of the State of Texas, without civil responsibility, creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three several days be suspended, and the same is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

Question — Shall the (committee) amendment be adopted?

(Speaker in the chair.)

SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 160, to the Committee on Criminal Jurisprudence.

Senate bill No. 198, to the Committee on Common Carriers.

Senate bill No. 300, to the Judiciary Committee.

Senate bill No. 63, to the Judiciary Committee.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Patterson:

H. B. No. 662, A bill to be entitled "An Act to grant to every person, firm, corporation, limited partnership, joint stock association or association of any kind whatever owning and holding permits issued by the State of Texas authorizing the owners and holders thereof to prospect for and develop petroleum oil and gas that may be in public school, university and asylum lands and other public lands, fresh water lakes, river beds and channels, islands, bays, marshes and salt water lakes belonging to the State of Texas, the right and power of eminent domain, in the event of which he, it or they may enter upon and condemn the lands, rights-of-way, easements and property of any person, persons or corporations necessary for the construction, maintenance and use of roads and highways for the purpose of ingress and egress to and from the lands covered by and included within the permit or permits

so issued to him, it or them; for the construction and maintenance of camps and camp sites for use and occupancy by those holding such permits and their agents, servants and employes in developing the property covered by and included within their permits and in taking care of oil or gas wells and operating the same, and in saving, storing, handling and marketing oil or gas when the same or either of them shall have been developed, and for constructing, laying, maintaining and operating pipes and pipe lines for the transportation of oil or gas from wells producing the same or either of them; prescribing the manner and method of such condemnation and assessment and payment of damages therefor to be the same as provided for in cases of railroads, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Blount:

H. B. No. 663, A bill to be entitled "An Act to repeal all special laws relating to public roads of Nacogdoches county, as well as all general laws in conflict with this act and to create by this act a more efficient road system for Nacogdoches county, Texas; to provide for the appointment of hands and laying out of road precincts; specifying those subject to road duty and the number of days they shall work upon the public roads each year; to provide for relieving citizens of road duty by payment to the county treasurer of \$5 for each road year; to encourage donation to the public roads by citizens of said county, and providing for donations to be duplicated by the county treasurer out of the road and bridge fund of said county; providing for appointment of road overseers; making the county commissioners of said county supervisors of the roads in their commissioners precinct; prescribing their duties; prescribing the mode of warning those subject to road duty under the terms of this act, and making it a misdemeanor to violate the provisions of this act, and fixing a penalty therefor, and repealing all general and special laws in conflict herewith."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Hendricks et al.:

H. B. No. 664, A bill to be entitled "An Act amending Section 124a of Chapter 124 of the General Laws of the Regu-

lar Session of the Twenty-ninth Legislature, page 296, so as to make it a felony to violate said section, said section being upon the subject of preventing fraud in teachers' examinations, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Cowen, Mr. Arnold, Mr. Winfree, Mr. Turner and Mr. Rogers:

H. B. No. 665, A bill to be entitled "An Act to amend Chapter 4, Revised Statutes, 1911, and providing for the formation of one drainage district in a county coextensive with the limits of said county and including within its limits incorporated cities, towns, villages and other drainage districts already formed, and providing that such district shall be formed by vote of qualified voters in such county, and said district so formed shall have power to and shall take over all ditches, drains, improvements, property of every kind and character from drainage districts within the county so forming said district and make compensation therefor in the same manner as provided by Chapter 38, Acts of the Second Called Session of the Thirty-sixth Legislature, for road districts; and providing that nothing therein contained shall impair in any manner any outstanding contract of any character of said drainage districts so taken over, and providing that the drainage district so formed shall be organized, except as in this act otherwise provided, in the same manner as drainage districts are now organized under the law, except that two men shall be nominated to the commissioners court by the mayor of the county seat city and two shall be nominated by the commercial club or chamber of commerce of said city and that the commissioners court shall select one from each two as drainage commissioners, and shall have all the powers and rights and be subject to all regulations in so far as applicable as drainage districts now have and are subject to under the law, in addition to the powers and rights herein granted, and when organized shall have exclusive control of and responsibility for the drainage work in the county; and providing that said district shall include incorporated cities, towns and villages; but nothing in the act shall authorize or require the taking over of the drainage work or property in said city or town or the assumption of any of the bonds or liability of any city, town or village; repealing all laws in conflict herewith, and providing that

upon report by civil engineer and recommendation by drainage commissioners court it shall call an election on such bond issue; declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Pate:

H. B. No. 666, A bill to be entitled "An Act to amend Chapter 18, Special Laws, Thirty-seventh Legislature, First Called Session, incorporating the Fruitvale Independent School District in Van Zandt county, Texas; providing for the maintenance of elementary schools in said district, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Rogers:

H. B. No. 667, A bill to be entitled "An Act making an appropriation for the purchase of a site in Harris county for a State Orphans' Home, and declaring an emergency."

Referred to Committee on Appropriations.

RECESS.

Mr. Harrington moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Quaid moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Dodd moved that the House adjourn until 10 o'clock a. m. Thursday, March 1.

The motion of Mr. Quaid prevailed, and the House, accordingly, at 5:45 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills as follows:

Banks and Banking—House concurrent resolution No. 19.

Counties—Senate bill No. 343.

Judiciary—Senate bill No. 33.

Municipal and Private Corporations—Senate bill No. 210, House bill No. 648.

The following committees have filed unfavorable reports on bills as follows:

Municipal and Private Corporations—House bills Nos. 359, 360.

State Affairs—House bill No. 601.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 27, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 561, A bill to be entitled "An Act creating and incorporating Joe Stokes Independent School District in Lynn county, Texas, out of territory now comprising Common School District No. 17 of Lynn county as heretofore created by the county board of school trustees of said county; defining boundary thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Joe Stokes Independent School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 17 of Lynn county; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provision thereof, and declaring an emergency."

And find the same correctly engrossed.

PRICE, Vice Chairman.

Committee Room,

Austin, Texas, February 27, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 449, A bill to be entitled "An Act to amend an Act of the Thirty-first Legislature, First Called Session,

Chapter 5, Special Laws, entitled 'An Act creating an independent school district to be known as the Goliad Independent School District, including within its limits the unincorporated town of Goliad, in Goliad county, and to provide for a board of trustees and other officers of such district; to authorize the board of trustees to levy, assess and collect special taxes, and to issue and dispose of bonds of such district for the purpose of purchasing school sites, and erecting, repairing, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of the public schools therein, and to further prescribe the duties and authority of said board of trustees, and declaring an emergency,' and by this amended act to provide for the assumption by the Goliad Independent School District, as hereby created, of all outstanding indebtedness now existing against same, and to provide for the payment of the outstanding indebtedness against Common School District No. 2, Goliad county, and declaring an emergency,"

And find the same correctly engrossed.

PRICE, Vice Chairman.

Committee Room,

Austin, Texas, February 27, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 578, A bill to be entitled "An Act to amend an act passed by the Regular Session of the Thirtieth Legislature, known as House bill No. 470, and approved April 4, 1907, entitled 'An Act creating an independent school district to be known as the Coleman Independent School District, including within its limits the municipal corporation of the town of Coleman, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board,' so as to hereafter read as follows, and extend-

ing and defining its boundaries and including within its limits the municipal corporation of the city of Coleman, and to provide for the creating of a board of trustees thereof and authorize the board of trustees to levy, assess and collect special taxes and provide authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor and to pay all current expenses for the maintenance and support of said school, declaring valid all issues of bonds heretofore made, declaring valid maintenance tax heretofore voted and repealing all laws in conflict herewith in so far as they conflict with this act, and declaring an emergency,"

And find the same correctly engrossed.

SANFORD, Acting Chairman.

Committee Room,

Austin, Texas, February 27, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. J. R. No. 22, Submitting to the people an amendment to the Constitution of Texas limiting the power of the Legislature to levy an ad valorem tax not to exceed thirty-five cents on the one hundred dollar valuation for school purposes, and five cents for pension purposes, and for the exemption of payment of the ad valorem tax, or any other tax, on property or privilege upon which a special tax, or any other tax is levied. Providing that the Legislature cannot exempt from the payment of the ad valorem tax real property, tangible personal property (not including money or credits), and railroad properties (not including intangible values of same). The situs of said property for local taxation purposes to be governed by act of Legislature. Said amendment to be effective on and after January 1, 1923.

And find the same correctly engrossed.

PRICE, Vice Chairman.

Committee Room,

Austin, Texas, February 27, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 285, A bill to be entitled "An Act to amend Article 610, Revised

Statutes, as amended by Chapter 47, Acts of the Regular Session of the Thirty-seventh Legislature, prescribing purposes for which counties may issue bonds; amending Articles 611, 612, 617 and 621, Chapter 1, Title 18, Revised Statutes, 1911, relating to the issuance of county and city bonds; adding to Chapter 1, Title 18, Revised Statutes, five new articles designated as Articles 610a, 610b, 610c, 610d and 610e, authorizing counties, towns, cities, school districts and improvement districts to refund bonds now or hereafter outstanding; providing that nothing in this act shall be construed as invalidating any bond elections previously ordered or held, or any bonds issued and sold by any county, city, town or district, and declaring an emergency."

And find the same correctly engrossed.
SANFORD, Acting Chairman.

THIRTY-FIFTH DAY.

(Continued.)

(Thursday, March 1, 1923.)

The House met at 10 o'clock a. m., and was called to order by Speaker Seagler.

HOUSE BILL NO. 336 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 336, relating to publication of newspapers, on its passage to engrossment, with amendment by Mr. Jacks pending.

Question recurring on the amendment, it was adopted.

Mr. Jacks offered the following amendment to the bill:

Strike out all above the enacting clause and insert in lieu thereof the following:

"A bill to be entitled, 'An Act to prevent any person, corporation, partnership, trust estate, or other legal entity, from selling, or offering for sale or causing to be offered for sale, as the publisher thereof and the printer thereof, in the State of Texas, of any newspaper, or other publication representing to be a newspaper, with a circulation of five thousand (5000) copies or over, when such person or legal entity does not own property, not exempt from execution and unincumbered, to an assessed value of \$10,000, within the State of Texas and providing that when such person or legal entity does not own such property that

such person or legal entity shall furnish bond in the sum of \$10,000 for every such newspaper sold, or offered to be sold, or caused to be offered for sale, in units or lots under 20,000, either daily or weekly, and a further bond of \$5000 for every 10,000 over and above 20,000, or parts thereof, until a maximum bond of \$25,000 shall have been furnished, such bond to be approved by the county judge of the county in which such newspaper or publication is published, and to be filed with the county clerk, and indexed by him in a special book to be kept for that purpose, and such bond shall run in favor of such county judge, and shall be conditioned that should any judgment be rendered in any court of proper jurisdiction within the State of Texas against such person or legal entity because of alleged libelous statements contained in such newspaper or publication, that such person or legal entity shall pay to the county judge, as the property of, and for the use and benefit of, the person recovering such judgment, as against the bond, not to exceed the amount of the bond, and fixing a penalty, and declaring an emergency.'"

The amendment was adopted.

House bill No. 336 was then passed to engrossment.

HOUSE BILL NO. 336 ON THIRD READING.

Mr. Jacks moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 336 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—84.

Abney.	Dielmann.
Amsler.	Dodd.
Arnold.	Duffey.
Avis.	Dunlap.
Baker of Milam.	Dunn.
Baker of Orange.	Durham.
Baldwin.	Fields.
Beasley.	Hardin of Erath.
Bell.	Harrington.
Bobbitt.	Henderson
Bonham.	of McLennan.
Burmeister.	Hendricks.
Carpenter	Houston.
of Matagorda.	Howeth.
Carter of Coke.	Hull.
Carter of Hays.	Irwin.
Collins.	Jacks.
Cowen.	Jennings.
Davenport.	Jones.
DeBerry.	Kemble.